

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ANTON PURISIMA

CASE # 16-CV-5628

(In the space above enter the full name(s) of the plaintiff(s).)

- against -

SECOND AMENDED

COMPLAINT

Jury Trial: ☒ Yes ☐ No

(check one)

FILED

AUG 21 2017

KATE BARKMAN, Clerk
By _____ Dep. Clerk

ACF
CITY OF PHILADELPHIA ("CITY");
MICHAEL JOSEPH MORRISSEY, BADGE #130;
AMTRAK CORPORATION ("AMTRAK");
RICHARD ANDERSON ("PRESIDENT & CEO");
CHARLES W. MOORMAN IV, CEO &
PRESIDENT ("CHIEF EXECUTIVE OFFICER");
AMTRAK POLICE DEPARTMENT ("APD");
AMTRAK RAIL CORPORATION;
DOES 1-1.3 BILLION,

EXHIBITS ATTACHED
HEREWITH AND RELATED
CIVIL CASES FILED
TO SUPPORT THEREOF

(In the space above enter the full name(s) of the defendant(s). If you cannot fit the names of all of the defendants in the space provided, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed in the above caption must be identical to those contained in Part I. Addresses should not be included here.)

I. Parties in this complaint:

- A. List your name, address and telephone number. If you are presently in custody, include your identification number and the name and address of your current place of confinement. Do the same for any additional plaintiffs named. Attach additional sheets of paper as necessary.

Plaintiff

Name

Street Address

County, City

State & Zip Code

Telephone Number

ANTON PURISIMA ("PURISIMA")
390 NINTH AVENUE,
NEW YORK, NEW YORK
NEW YORK 10001
E-MAIL: ACPURISIMA@HOTMAIL.COM

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- B. List all defendants. You should state the full name of the defendants, even if that defendant is a government agency, an organization, a corporation, or an individual. Include the address where each defendant can be served. Make sure that the defendant(s) listed below are identical to those contained in the above caption. Attach additional sheets of paper as necessary.

Defendant No. 1

Name CITY OF PHILADELPHIA ("CITY")
 Street Address 1515 ARCH STREET, 14TH FLOOR,
 County, City PHILADELPHIA, PHILADELPHIA
 State & Zip Code PENNSYLVANIA 19102-1579

Defendant No. 2

Name MICHAEL JOSEPH MORRISSEY, BADGE #130
 Street Address 2955 MARKET STREET
 County, City PHILADELPHIA, PHILADELPHIA
 State & Zip Code PENNSYLVANIA 19104
(AMTRAK 30TH STREET STATION)

Defendant No. 3

Name AMTRAK CORPORATION ("AMTRAK")
 Street Address 60 MASSACHUSETTS AVENUE, NE
 County, City WASHINGTON
 State & Zip Code DISTRICT OF COLUMBIA 20002-4285

Defendant No. 4

Name RICHARD ANDERSON ("PRESIDENT & CEO")
 Street Address 60 MASSACHUSETTS AVENUE, NE
 County, City WASHINGTON
 State & Zip Code DISTRICT OF COLUMBIA 20002-4285

II. Basis for Jurisdiction:

Federal courts are courts of limited jurisdiction. Only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case involving the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one state sues a citizen of another state and the amount in damages is more than \$75,000 is a diversity of citizenship case.

- A. What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal Questions ☐ Diversity of Citizenship

- B. If the basis for jurisdiction is Federal Question, what federal Constitutional, statutory or treaty right is at issue?

TITLE II OF THE CIVIL RIGHTS ACT OF 1964 VIOLATIONS; 42 U.S.C. SECTIONS 2000a(a), 2000a(b), 2000a(c), 2000a-6(a), AND 2000a-6(b); DISCRIMINATION IN PUBLIC ACCOMMODATIONS; DISCRIMINATION OF NATIONAL-ORIGIN - FILIPINO (PLAINTIFF'S ANCESTRY); ADA VIOLATIONS; CORRUPT PRACTICES ACT VIOLATIONS; ELDERLY ABUSE VIOLATIONS - PLAINTIFF IS SENIOR CITIZEN OF - 2 - THE U.S.A.; DEFENDANT IS THE CITY OF PHILADELPHIA, PA;

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C. If the basis for jurisdiction is Diversity of Citizenship, what is the state of citizenship of each party?

Plaintiff(s) state(s) of citizenship _____

Defendant(s) state(s) of citizenship _____

III. Statement of Claim:

State as briefly as possible the facts of your case. Describe how each of the defendants named in the caption of this complaint is involved in this action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Attach additional sheets of paper as necessary.

A. Where did the events giving rise to your claim(s) occur?

AMTRAK 30th STREET STATION
1955 MARKET STREET, PHILADELPHIA, PA 19104

B. What date and approximate time did the events giving rise to your claim(s) occur? ON OR ABOUT

OCTOBER 27, 2015, 0145
(OCTOBER 27, 2015, TIME: 0145)

C. Facts:

PRO SE PLAINTIFF ANTON PURISIMA HEREIN ALLEGES AS FOLLOWS: AND PLEASE TAKE NOTICE THAT
1. PRO SE PLAINTIFF ANTON PURISIMA IS ATTACHING (THE "CIVIL DOCKET FOR CASE # 16-CV-5628-LDD") (PURISIMA V. CITY OF PHILADELPHIA, et. al.) HEREIN IN ORDER TO SUPPORT EVERY ISSUE AND EVERY CAUSE OF ACTION IN THIS CASE HEREIN.

2. PLEASE TAKE FURTHER NOTICE THAT THIS SECOND AMENDED COMPLAINT IS RELATED TO EVERY CIVIL CASE AND COMPLAINT FILED BY PRO SE PLAINTIFF ANTON PURISIMA HEREIN, THIS IS THE MAIN REASON THAT THIS ACTION IS VERY COMPLEX AND THAT ALL THESE NEEDED INFORMATION AND EVIDENCE IN THIS CASE WILL BE PRODUCED DURING DISCOVERY IN THIS CASE AS WELL AS ADDITIONAL INFORMATION AND EVIDENCE IN THIS CASE WILL BE PROVIDED BY PLAINTIFF'S ATTORNEY AS SOON AS POSSIBLE.

3. PRO SE PLAINTIFF (WILL SUBMIT SUPPLEMENT TO THIS SECOND AMENDED COMPLAINT) AS SOON AS POSSIBLE, DUE TO PRO SE PLAINTIFF IS IN AN EMERGENCY-SITUATION AS WELL AS HE NEEDS MORE TIME TO PREPARE, AND IS HEREBY REQUESTED.

What happened to you?

Who did what?

Was anyone else involved?

Who else saw what happened?

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 17th day of AUGUST, 2017.

Signature of Plaintiff [Signature]

Mailing Address

390 NINTH AVENUE
NEW YORK, NEW YORK 10001

Telephone Number _____

~~Fax Number~~ (if you have one) _____

E-mail Address

ACPURISIMA@HOTMAIL.COM

Note: All plaintiffs named in the caption of the complaint must date and sign the complaint. Prisoners must also provide their inmate numbers, present place of confinement, and address.

For Prisoners:

I declare under penalty of perjury that on this _____ day of _____, 20____, I am delivering this complaint to prison authorities to be mailed to the Clerk's Office of the United States District Court for the Eastern District of Pennsylvania.

Signature of Plaintiff: _____

Inmate Number _____

DEFENDANT # 5 — NAME: CHARLES W. MOORMAN IV,
PRESIDENT AND
("CHIEF EXECUTIVE OFFICER (CEO)")

ADDRESS: 60 MASSACHUSETTS AVENUE, NE
WASHINGTON,
DISTRICT OF COLUMBIA 20002-
4285

TELEPHONE: 202-906-3000

TWITTER IDs @ AMTRAK

Web: WWW.amtrak.com

DEFENDANT # 6 — NAME: AMTRAK POLICE DEPARTMENT
("APD")

ADDRESS: 2955 MARKET STREET,
COUNTY & CITY: PHILADELPHIA, PHILADELPHIA
State & ZIP CODE: PENNSYLVANIA 19104
TELEPHONE#: 800-371-0008

DEFENDANT # 7 — NAME: AMTRAK RAIL CORPORATION

ADDRESS: 60 MASSACHUSETTS AVENUE, NE
WASHINGTON,
DISTRICT OF COLUMBIA 20002-
4285

DEFENDANT # 8 — NAME: DOES 1-1.3 BILLION

NOTE: PLAINTIFF WILL PROVIDE ADDRESSES BY THE
TIME IS KNOWN TO PLAINTIFF HEREIN.

Dated: AUGUST 17, 2017
NEW YORK, NY

BY: [Signature]

PLAINTIFF PLOAR
390 NORTH AVE, NY, NY 10001.

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ACP

8/17/2017

EXHIBIT "ONE"

* CIVIL DOCKET FOR Case# 16-CV-5628-LDD

Dated: 8/8/2017

(Three (?) pages)

NOTE: Pro se Plaintiff hereby incorporates
the above civil docket for Case# 16-CV-5628-LDD
and to support every statement
alleged as well as to support
exhibits attached and every-page
in the above case herein.

ACP

And to support the Second Amended
Complaint herein.

ACP
8/17/2017

CLOSED,SPECIAL

**United States District Court
Eastern District of Pennsylvania (Philadelphia)
CIVIL DOCKET FOR CASE #: 2:16-cv-05628-LDD
Internal Use Only**

PURISIMA v. CITY OF PHILADELPHIA et al
Assigned to: HONORABLE LEGROME D. DAVIS
Cause: 42:1983 Civil Rights Act

Date Filed: 10/27/2016
Date Terminated: 11/08/2016
Jury Demand: Plaintiff
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff**ANTON PURISIMA**


represented by **ANTON PURISIMA**
390 9TH AVENUE
NEW YORK, NY 10001
PRO SE



V.


Defendant**CITY OF PHILADELPHIA**
(CITY)**Defendant****MICHAEL JOSEPH MORRISSEY****Defendant****AMTRAK POLICE DEPARTMENT**

(APD)

Defendant**DOES 1 -1.3 BILLION**

Date Filed	#	Docket Text
10/27/2016	<u>1</u>	APPLICATION TO PROCEED IN FORMA PAUPERIS FILED BY ANTON PURISIMA. (Attachments: # <u>1</u> Complaint, # <u>2</u> Civil Cover Sheet, (Additional attachment(s) added on 11/1/2016: # <u>3</u> Attachment, # <u>4</u> Attachment 2, # <u>5</u> Attachment 3, # <u>6</u> Attachment 4) (jmv,). (Entered: 10/31/2016)
10/27/2016		(Court only) ***Set/Clear Flags Set Flag Special Case Management Track (jmv,) (Entered: 10/31/2016)

11/08/2016	<u>2</u>	ORDER THAT PLAINTIFF'S MOTION TO PROCEED IN FORMA PAUPERIS IS GRANTED. PLAINTIFF SHALL, WITHIN THIRTY (30) DAYS, FILE AN AMENDED COMPLAINT AS OUTLINED HEREIN. UPON THE FILING OF AN AMENDMENT, THE CLERK SHALL NOT MAKE SERVICE UNTIL SO ORDERED BY THE COURT. THE CLERK OF COURT SHALL CLOSE THIS CASE FOR STATIATICAL PURPOSES. SIGNED BY HONORABLE LEGROME D. DAVIS ON 11/8/2016. 11/8/2016 ENTERED AND COPIES MAILED TO PRO SE. (amas) (Entered: 11/08/2016)
11/08/2016	<u>3</u>	COMPLAINT against AMTRAK POLICE DEPARTMENT, CITY OF PHILADELPHIA, DOES 1 -1.3 BILLION, MICHAEL JOSEPH MORRISSEY, filed by ANTON PURISIMA.(amas) (Entered: 11/08/2016)
11/08/2016		(Court only) ***Deadlines terminated., ***Documents terminated: <u>3</u> Complaint filed by ANTON PURISIMA., ***Motions terminated: <u>3</u> Complaint filed by ANTON PURISIMA. (amas) (Entered: 11/08/2016)
11/08/2016		(Court only) ***Civil Case Terminated. (sf,) (Entered: 11/08/2016)
12/12/2016	<u>4</u>	LETTER TO THE COURT; FROM ANTON PURISIMA; DATED 12/7/2016; RE: REQUEST FOR EXTENSION OF TIME. (amas) (Entered: 12/12/2016)
12/12/2016	<u>5</u>	ORDER THAT PLAINTIFF'S REQUEST IS GRANTED AND PLAINTIFF SHALL FILE AN AMENDED COMPLAINT ON OR BEFORE 2/10/2016. SIGNED BY HONORABLE LEGROME D. DAVIS ON 12/12/2016. 12/12/2016 ENTERED AND COPIES MAILED TO PRO SE.(amas) (Entered: 12/12/2016)
02/09/2017	<u>6</u>	REQUEST FOR ADDITIONAL 30 DAYS TO FILE AMENDED COMPLAINT (SECOND REQUEST) by ANTON PURISIMA. (aeg) (Entered: 02/09/2017)
03/22/2017	<u>7</u>	ORDER THAT PLAINTIFF'S REQUEST IS GRANTED AND PLAINTIFF SHALL FILE HIS AMENDED COMPLAINT ON OR BEFORE 4/11/2017. SIGNED BY HONORABLE LEGROME D. DAVIS ON 3/21/2017. 3/22/2017 ENTERED AND COPIES MAILED TO PRO SE.(amas) (Entered: 03/22/2017)
04/18/2017	<u>8</u>	ORDER THAT PLAINTIFF'S REQUEST IS GRANTED AND PLAINTIFF SHALL FILE AN AMENDED COMPLAINT ON OR BEFORE 5/8/2017. SIGNED BY HONORABLE LEGROME D. DAVIS ON 4/17/2017. 4/18/2017 ENTERED AND COPIES MAILED TO PRO SE.(amas) (Entered: 04/18/2017)
05/08/2017	<u>9</u>	AMENDED COMPLAINT against AMTRAK POLICE DEPARTMENT, CITY OF PHILADELPHIA, DOES 1 -1.3 BILLION, MICHAEL JOSEPH MORRISSEY, filed by ANTON PURISIMA.(amas) (Entered: 05/09/2017)
05/10/2017	<u>10</u>	ORDER THAT PLAINTIFF'S AMENDED COMPLAINT IS DISMISSED WITH LEAVE TO FILE A SECOND AMENDED COMPLAINT WITHIN THIRTY (30) DAYS OF THE DATE OF THIS ORDER, AS

		OUTLINED HEREIN. THIS CASE SHALL REMAIN CLOSED FOR STTISTICAL PURPOSES. SIGNED BY HONORABLE LEGROME D. DAVIS ON 5/9/2017. 5/10/2017 ENTERED AND COPIES MAILED TO PRO SE.(amas) (Entered: 05/10/2017)
05/10/2017		(Court only) ***Documents terminated: <u>9</u> Amended Complaint filed by ANTON PURISIMA. (amas) (Entered: 05/10/2017)
07/17/2017	<u>11</u>	REQUEST FOR PRO BONO COUNSEL, BY ANTON PURISIMA. (amas) (Entered: 07/17/2017)
07/17/2017	<u>12</u>	REQUEST ANOTHER SIXTY (60) DAYS TO FILE SECOND AMENDED COMPLAINT, BY ANTON PURISIMA. (amas) (Entered: 07/17/2017)
07/18/2017	<u>13</u>	ORDER THAT PLAINTIFF'S REQUEST FOR PRO BONO COUNSEL (DOC. NO. <u>11</u>), IS DENIED AS OUTLINED HEREIN. SIGNED BY HONORABLE LEGROME D. DAVIS ON 7/18/2017. 7/18/2017 ENTERED AND COPIES MAILED TO PRO SE.(amas) (Entered: 07/18/2017)
07/18/2017	<u>14</u>	ORDER THAT PLAINTIFF'S MOTION FOR A 60-DAY EXTENSION (DOC. NO. <u>12</u>), IS GRANTED IN PART AND DENIED IN PART. THE COURT WILL GRANT A 30-DAY EXTENSION OF THE DEADLINES FOR FILING A SECOND AMENDED COMPLAINT. PLAINTIFF MUST FILE HIS SECOND AMENDED COMPLAINT ON OR BEFORE 8/17/2017. SIGNED BY HONORABLE LEGROME D. DAVIS ON 7/18/2017. 7/18/2017 ENTERED AND COPIES MAILED TO PRO SE. (amas) (Entered: 07/18/2017)